

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3942 of 1987

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

=====

1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?

4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge? : NO

G E B

Versus

PORBANDAR CHAMER OF COMMERCE & INDUSTRIES

Appearance:

MR MD PANDYA for Petitioners
MR AJ SHASTRI for Respondent

CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 31/03/2000

ORAL JUDGEMENT

In this petition under Article 227 of the
Constitution, the Gujarat Electricity Board has
challenged the interim order passed by the learned Civil
Judge (S.D), Porbandar in Regular Civil Suit No. 218/87.

2. While issuing notice on 8.8.1987, ad-interim
relief was granted staying operation of the above order

and the same was confirmed while admitting the petition on 14.10.1987.

3. Looking to the nature of the proceedings, reliefs claimed in suit and the fact that the interim stay of the above interim order has continued over the last more than 12 years, in the facts and circumstances of the case, the petition deserves to be disposed of by directing that if the above numbered Civil suit is not yet disposed of, the interim stay granted by this Court during pendency of this petition shall continue to operate till the disposal of the suit.

4. The petition is accordingly allowed in the aforesaid terms. Rule is made absolute to the aforesaid extent with no order as to costs.

In case the suit is not yet disposed of, the trial Court shall decide the suit as expeditiously as possible and in any case within three months from the date of receipt of a certified copy of this order.

March 31, 2000 (M.S. Shah, J.)
sundar/-